

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

HONEYWELL INTERNATIONAL INC.,

Civil No. 0:12-cv-00299-SRN-JSM

Plaintiff,

**JOINT MOTION TO STAY THE
ACTION PENDING
REEXAMINATION OF THE
PATENTS-IN-SUIT**

vs.

NEST LABS, INC., BEST BUY CO., INC.,
BEST BUY STORES, L.P., and
BESTBUY.COM, LLC

Defendants.

Plaintiff Honeywell International Inc. and Defendants Nest Labs, Inc.; Best Buy Co., Inc.; Best Buy Stores, L.P.; and BESTBUY.COM, LLC hereby jointly move the Court to Stay this case pending reexamination of the patents-in-suit by the United States Patent And Trademark Office. Defendant Nest has requested that the USPTO reexamine each of the seven patents-in-suit. To date the USPTO has agreed to reexamine five of the seven patents at issue in this case. The other two patents are still awaiting decision by the USPTO. In light of the fact that at least a majority of the patents-in-suit will be subject to reexamination, the parties agree that a stay is appropriate to conserve party and judicial resources. In terms of administration of the stay, the parties have submitted herewith a proposed order which provides that any party, or the parties jointly, may move to lift or modify this stay at any time upon showing of good cause. The proposed order further provides that the Court will conduct a status conference approximately six months from

the date of the stay Order so that the parties may update the Court on the status of the reexamination proceedings.

The proposed order staying the case will be submitted by email.

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Dated: September 21, 2012

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